

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
SECURITIES AND EXCHANGE COMMISSION,)	
)	
Plaintiff,)	
v.)	Civil Action No. 05-11805-NMG
)	
RICHARD F. SELDEN,)	
)	
Defendant.)	
_____)	

PLAINTIFF'S NOTICE OF UNAVAILABILITY

PLEASE TAKE NOTICE that the undersigned lead counsel of record for plaintiff Securities and Exchange Commission will be out of the jurisdiction or otherwise unavailable during the following time periods:

February 11 through February 15, 2008 (travel)

March 10 through March 24, 2008 (travel)

and accordingly requests that no hearings, depositions or other matters requiring appearance of counsel be set during that period of time and that all pending matters remain in status quo during that period of time, save for legitimate emergencies. The filing and service of this Notice shall constitute an application and request for continuance, extension of time and/or protective order, as appropriate, for this reason.

Respectfully submitted,

/s/

Frank C. Huntington (Mass. Bar. No. 544045)
Senior Trial Counsel

Attorney for Plaintiff
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Dated: January 22, 2008

CERTIFICATE OF SERVICE

I, Frank C. Huntington, certify that on January 22, 2008, the foregoing Plaintiff's Notice of Unavailability was filed electronically with the Court and a copy was served by first-class mail to the defendant's counsel of record:

Thomas J. Dougherty, Esq.
Justin J. Daniels, Esq.
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/s/
Frank C. Huntington